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The Association of Finland Tobacco Manufacturers issues the following statement concerning the case of Pentti Aho vs Oy Rettig Ab and Suomen Tupakka Oy:

While the Association believes that the proper place for litigation to be discussed is in the court, in view of the continuing effort by Prof. Aurejarvi to use the case as a vehicle to generate publicity for his anti-smoking crusade, the Association also feels that it cannot remain silent about the true nature of this litigation.

From the start of this lawsuit, the Association has been fully confident that this case will result in a victory for the Finnish tobacco industry. The proceedings in the court thus far have confirmed our view that this suit is a misuse of the Finland courts, that was brought for the purpose of generating anti-smoking publicity and has no proper place in our legal system.

In 1986, Professor Aurejarvi was consulted by the National Board of Health and prepared a detailed analysis on "Product Liability In the Manufacture and Sale of Tobacco Products." On the precise issue in this case - whether damage claims might be brought against the Finland tobacco companies - Professor Aurejarvi's objective conclusion was that "such an action would be rejected." Nevertheless, Prof. Aurejarvi advocated the filing of a suit for the express purpose of generating anti-smoking publicity. We believe an objective review of the legal proceedings confirms that Prof. Aurejarvi was correct on the merits of the suit and its true purpose.

Under the rules of the court, the hearing so far has been limited to the presentation of Prof. Aurejarvi's views. As a result, the evidence thus far has been entirely one-sided and the industry position has not been presented. Instead, Prof. Aurejarvi has used the court to present a series of increasingly shrill and unfounded charges against the tobacco companies that have not been substantiated by evidence.

The best illustration of Prof. Aurejarvi's increasing desperation is his most recent claim, presented at the last court session, that he has determined that the sale of cigarettes was actually illegal in Finland from 1927 to 1976. Prof. Aurejarvi's "discovery" can only come as a complete surprise to anyone familiar with this country's history.

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The Association recognizes that a serious controversy regarding smoking and health exists. Professor Aurejarvi's claims in the litigation that the tobacco industry has somehow suppressed or concealed information concerning this issue are false. The fact is that the controversy for many years has received as much or more publicity than any other public health issue. For more than a decade, all cigarette packages have carried the warning specified by the National Board of Health.

Like vodka and many other products that are part of society and for which health risks are common knowledge, the decision whether to smoke is a matter for individual adults in a free society to decide. The Association firmly believes that Finns have the right to make this choice and that any use of the courts to deprive them of this right will be rejected, as Professor Aurejarvi himself has predicted.

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